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N. Y. CITY
DEPARTMENT
OF HEALTH
SANITARY CODE
1870

SANITARY CODE
OF THE
BOARD OF HEALTH
OF THE
HEALTH DEPARTMENT
OF THE
CITY OF NEW YORK,
OCTOBER, 1870.

NEW YORK:
THE N. Y. PRINTING COMPANY, Nos. 81, 83, AND 85 CENTRE STREET.
1870.

WILLIAM W. BROWN

OF THE

BOARD OF TRUSTEES

OF THE

UNIVERSITY OF CHICAGO

OF THE

OFFICE OF THE

LIBRARY

CHICAGO

SANITARY CODE

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THE SANITARY CODE,

ADOPTED MAY 18, 1870.

At a meeting of the BOARD OF HEALTH OF THE HEALTH DEPARTMENT OF THE CITY OF NEW YORK, held at 301 Mott street, on the eighteenth day of May, A. D. 1870.

Present : Hon. Joseph S. Bosworth, Henry Smith, Matthew T. Brennan, Benjamin F. Manierre, Police Commissioners of the City of New York ; John M. Carnochan, Health Officer of the Port ; Stephen Smith, M. D., Giovanni Ceccarini, M. D., Magnus Gross, John Mullaly, Commissioners of Health of the City of New York.

The said Board of Health and Health Department, in discharge of the duty imposed by section 92, of an act entitled "An act to reorganize the local government of the City of New York," passed April 5, 1870, which declares, that it shall be the duty of said Board immediately upon organizing under this act, to cause to be conformed to this article (being article eleventh of the said act), the code of laws and regulations then or lately adopted by the Board of Health for the Metropolitan Sanitary District, which by the said section is to be called the "Sanitary Code,"

and by virtue of and in pursuance of the authority and power thereby conferred, "to add to such Sanitary Code from time to time additional provisions for the security of life and health in the City of New York, and therein to distribute appropriate powers and duties to the members and employees of the Board of Health," do hereby direct, order, ordain, and enact, as follows:

DEFINITIONS OF TERMS.

Meaning of
"Board,"
&c.

"Depart-
ment."

"Person,"
"Owner,"
"Tenant,"
&c.

To what
terms apply.

"Built-up
portion."

"City."

"Regula-
tions."

SECTION 1. That the terms "Board," "this Board," and "said Board," shall be held to mean the "Board of Health of the Health Department of the City of New York"; that the word "Department," wherever used herein, shall be held to mean the Health Department of the City of New York; that the words "person," "owner," "tenant," "lessee," "occupant," "contractor," "party," "manager," "Board," and "officer," shall respectively be held to apply to and include, both jointly and severally, each and all owners, part owners, tenants, lessees, occupants, managers, contractors, parties in interest, persons, officers, boards, and corporations, who may sustain the relations, or may be in like position of any one or more thereof referred to in any ordinance or regulation; that every order, ordinance, or regulation declared applicable to the built-up portion of New York, shall, so far as the subject matter thereof is applicable (save as to interments), and so far as this Board has authority to make the same, be held to include and apply to the built-up portions of said city; that every word or phrase anywhere herein defined shall be held to include the same sense wherever used; that the words "city," or "this city," or "said city," whenever used herein, shall be held to mean the City of New York; that the word "regulations" shall be held to include "special regulations" (which latter will be from time to time issued, and will contain more detailed pro-

visions than can be herein conveniently set forth); that the word "permit" shall be construed to mean the permission in writing of this Board, issued according to its by-laws, rules, regulations, and Sanitary Code; and that every "report" herein required shall be held to be a report in writing, signed by the person (and indicating his official position) who makes the same; that the word "light," or "lighted," shall be held to refer to natural, external light; and that all words and phrases herein defined shall also include their usual and natural meanings, as well as those herein especially given.

SEC. 2. That the word "street," when used in the Sanitary Code, shall be held to include avenues, sidewalks, gutters, and public alleys; and the words "public place" shall be held to include parks, piers, docks, and wharves, and water and open spaces thereto adjacent, and also public yards, grounds, and areas, and all open spaces between buildings and streets, and in view of such streets; the word "ashes" shall be held to include cinders, coal, and everything that usually remains after fires; the word "rubbish" shall be held to include all the loose and decayed material and dirt-like substance that attends use or decay, or which accumulates from building, storing, or cleaning; the word "garbage" shall be held to include every accumulation of both animal and vegetable matter, liquid or otherwise, that attends the preparation, decay, and dealing in or storage of meats, fish, fowl, birds, or vegetables; and the word "dirt" shall be held to mean natural soil, earth, and stone.

SEC. 3. That a "tenement house" shall be taken to mean and include every house, building, or portion thereof which is rented, leased, let, or hired out to be occupied, or is occupied as the house, home, or residence of more than three families living independently of one another, and doing their cooking upon the

"Lodging-house."

"Cellar."

"Boarding-house."

"Manufactory."

"Saloon."

"Theatre."

"Physician."

premises, or by more than two families upon a floor, so living and cooking, but having a common right in the halls, stairways, yards, water-closets, or privies, or some of them. A "lodging-house" shall be taken to mean and include any house or building, or portion thereof, in which persons are harbored or received, or lodged for hire for a single night, or for less than a week at one time, or any part of which is let for any person to sleep in for any term less than a week. A "cellar" shall be taken to mean and include every basement or lower story of any building or house of which one half or more of the height from the floor to the ceiling is below the level of the street adjoining. The phrase "boarding-house" shall be held to include every building, and every story and portion thereof, which is at any time or usually used, leased or occupied, or intended so to be, by any number of persons, exceeding ten, as boarders thereat. The word "manufactory" shall be held to include every building, and every story and portion thereof, in which any sort of labor or work is done, which calls for the continual or usual presence of several persons during several hours of the day or night engaged about said work or labor; and the word "saloon" shall be held to include every portion of any building in which the business of selling meals, liquors, drinks, or refreshments of any kind, shall be conducted, and includes "concert saloons."

SEC. 4. That the term "theatre" shall be held to include the building, rooms, and place where any play, concert, opera, circus, trick of jugglery, show, gymnastic, or other exhibition, masquerade, public dance, drill, lecture, address, or other public or frequent gathering or amusement, are, is, or may be held, given, performed, or take place, and the approach or approaches to and appurtenances thereof.

SEC. 5. That the word "physician" shall include dentists,

and every other person who practices about the cure of the sick or injured, or who has the charge of, or professionally prescribes for, any person sick, injured or diseased; that the phrase "contagious disease" shall be held to include all persons sick, affected, or attacked by or of a disease of an infectious, contagious, or pestilential nature (more especially, however, referring to the cholera, yellow fever, small-pox, diphtheria, ship, or typhus, typhoid, spotted [relapsing], and scarlet fevers), and also including any new disease of an infectious, contagious, or pestilential nature, and also any other disease publicly declared by this Board dangerous to the public health; and every physician in said city shall at all times cause his or her name, office, and residence, and also his or her kind and class of practice, to be registered within the Bureau of Records of Vital Statistics, and in a manner according to the regulations prescribed by this Board.

Laws 1863,
Ch. 358, § 11.
Laws 1850,
Ch. 275, title
3, § 34.

Laws 1868,
Ch. 856, § 3.

"Contagious
disease."

Physicians
to report
names and
address.

SEC. 6. That the word "meat," whenever herein used, includes every part of any land animal and eggs (whether mixed or not with any other substance), and the word "fish" includes every part of any animal that lives in water, or the flesh of which is not meat, and the word "vegetable" includes every article of human consumption as food, which (not being meat, or fish, or milk) is held or offered, or intended for sale or consumption, as food for human beings, at any place in said city; and all fish and meat found therein shall be deemed to be therein and held for such sale or consumption as such food, unless the contrary be distinctly proved.

"Meat,"
"Fish," and
"Vegeta-
bles."

SEC. 7. That the word "cattle" shall be held to include all animals, except birds, fowl, and fish, of which any part of the body is used as food; the word "butcher" shall be held to include whoever is engaged in the business of keeping, driving, or slaughtering any cattle, or in selling any meat; the words "pri-

"Cattle,"
"butcher,"
etc., etc.

"Private
Market."

vate market" shall include every store, cellar, stand, and place (not being part of a public market) at which the business is the buying, selling, or keeping for sale, of meat, fish, or vegetables for human food.

MISTEASANCE AND NONFEASANCE.

Responsi-
bility for
carelessness,
negligence,
and omis-
sion.

SEC. 8. That no person shall carelessly or negligently do, or advise, or contribute to the doing of any act or thing dangerous to the life, or detrimental to the health of any human being; nor shall any person knowingly do, or advise, or contribute to the doing of any such act or thing (not actually authorized by law), except with justifiable motives and for adequate reasons; nor shall any person omit to do any act, or to take any precaution, reasonable and proper, to prevent or remove danger or detriment to the life or health of any human being.

OBEDIENCE TO ORDINANCES AND REGULATIONS.

Contractors
to comply
with ordi-
nances.

SEC. 9. That every contractor in these ordinances referred to, and every person who has contracted, or undertakes or is bound to do, or is engaged in doing, any one of those things, in respect of which these ordinances contain provisions or regulations, shall comply with these ordinances, to the extent that any contract, obligation, or duty requires or permits; and no direction of any contractors or persons shall excuse him for a non-compliance with any of said ordinances.

Special regu-
lations to be
obeyed.

SEC. 10. That every person shall observe and obey each and every special regulation, and every order of this Board that is or may be made, for carrying into effect any of the ordinances or powers hereinbefore or hereinafter contained, or any law of this State, or otherwise, whether issued directly by the Board,

or promulgated by any Bureau charged therewith, as if the same had been herein inserted at length.

ENFORCEMENT OF ORDINANCES.

SEC. 11. That the Inspectors of this Department, and its proper officers and agents, shall make the inspections and examinations required by law; that the Board of Police of the City of New York, do execute and cause to be executed all the orders of this Board when so specially ordered; and all persons are hereby forbidden to interfere with or obstruct such inspection, examination, or execution.

Duty of
Health In-
spectors.

Duty of
Board of
Police.

SEC. 12. That, except as herein specially or otherwise provided, or as may be hereafter provided, or as is otherwise made necessary by the laws of the State, the Board of Police of the Police Department shall, through its proper officers and men, and as near as may be according to its existing regulations, or amendments to be made thereto, on advice with this Department, and subject to the supervision of this Department, carry into effect and exercise the sanitary powers heretofore exercised by the Metropolitan Board of Police; and that said Board of Police shall keep this Department regularly advised of its action in that behalf, and shall conform to these and all future ordinances, and to all special regulations of this Department.

Board o
Police to
enforce or-
dinances.

BILLS OF HEALTH.

SEC. 13. That no person, officer, or Board within said city (except this Board or its proper officers; or proper officers of any bureau of this Department, and as the regulations prescribed by this Board shall provide), shall grant, sign, or deliver any Certificate, or "Bill of Health."

Bill of
Health, N.
Y. H. Laws,
p. 41.

Valentine's
Laws, N. Y.,
p. 445.

MEDICINES, ADULTERATIONS, AND POISONS.

Medicines,
etc., to be
under true
name.

SEC. 14. That no doctor, druggist, or other person shall make, sell, put up, prepare, or administer any prescription, decoction, or medicine under any deceptive or fraudulent name, direction, or pretence; nor shall any false or deceptive representation be made by any person to any other as to the kind, quality, purpose, or effect of any such or other drug, medicine, decoction, drink, or other article offered or intended to be taken as food or medicine.

Poisons to be
marked and
sold by
competent
persons.

SEC. 15. That no poisonous medicine, decoction, or substance shall be held for sale or sold, except for lawful purposes and with proper motives, and by persons competent to give the proper directions and precautions as to the use thereof; nor shall any bottle, box, parcel, or receptacle thereof be delivered to any person unless the same is marked "poison," nor to any person who the party delivering the same has reason to think intends it for any illegal or improper use or purpose.

Poisons and
adultera-
tions.

SEC. 16. That no person shall make, offer, or have for sale, or keep at any place of sale, any "poisonous, unwholesome, deleterious, or adulterated drugs, medicines, or food," or in respect thereto omit any act or thing required, or do any act forbidden by any law or health regulation of this State applicable in any part of said city.

CONSTRUCTION OF BUILDINGS, VENTILATION, AND DRAINAGE.

Ventilation,
sewerage,
etc., to be
provided in
new build-
ings.

SEC. 17. That no person shall hereafter erect, or cause to be erected, or converted to a new purpose by alteration, any building or structure which, or any part of which, shall be inadequate

or defective in respect to strength, ventilation, light, sewerage, or of any other usual, proper, or necessary provision or precaution; nor shall the builder, lessee, tenant, or occupant of any such or of any other building or structure (within the right or ability of either to remedy or prevent the same), cause or allow any matter or thing to be or to be done in or about any such building or structure dangerous or prejudicial to life or health.

SEC. 18. That no owner or lessee of any building, or any part thereof, shall lease or let, or hire out the same, or any portion thereof, to be occupied by any person, or allow the same to be occupied as a place in which or for any one to dwell or lodge, except when said buildings or such parts thereof are sufficiently lighted, ventilated, provided, and accommodated, and are in all respects in that condition of cleanliness and wholesomeness, for which this Code or any law of this State provides, or in which they or either of them require any such premises to be kept. Nor shall any such person rent, let, hire out, or allow, having power to prevent the same, to be used as or for a place of sleeping or residence, any portion or apartment of any building which apartment or portion has not at least two feet of its height and space above the level of every part of the sidewalk and curbstone of any adjacent street, nor of which the floor is damp by reason of water from the ground, or which is impregnated or penetrated by any offensive gas, smell, or exhalation prejudicial to health. But this section shall not prevent the leasing, renting, or occupancy of cellars or rooms less elevated than aforesaid, and as a part of any building rented or let, when they are not let or intended to be occupied or used by any person as a sleeping apartment, or as a principal or sole dwelling apartment.

No building
to be let un-
less properly
ventilated,
cleaned, etc.

Cellars.

SEC. 19. That no person, having the right and power to

Cellar or room dangerous to life not to be occupied.

prevent the same, shall knowingly cause or permit any person to sleep or remain in any cellar, or in any place dangerous or prejudicial to life or health, by reason of a want of ventilation or drainage, or by reason of the presence of any poisonous, noxious, or offensive substance or otherwise.

No overcrowding.

SEC. 20. That no owner, lessee, or keeper of any tenement-house, lodging-house, boarding-house, or manufactory shall cause or allow the same to be overcrowded, or cause or allow so great a number of persons to dwell, be, or sleep in any such house, or any portion thereof, as thereby to cause any danger or detriment to life or health.

Theatres not to be overcrowded, or with faulty means of access.

SEC. 21. That no person, being the lessee, manager, conductor, or owner of any theatre, shall cause, or permit, or allow the same, or any part or appurtenance thereof, to be so far overcrowded, or inadequate, faulty, or insufficient, in respect of strength, ingress or egress, cleanliness, ventilation, or in any other particular, as that thereby, or by reason thereof, any avoidable peril shall come or happen to, or be incurred or suffered by any person being properly at or in any such theatre.

Water-closets to be provided.

SEC. 22. That every person who shall be the owner, lessee, or keeper or manager of any tenement-house, boarding-house, lodging-house or manufactory, shall provide, or cause to be provided for the accommodation thereof, and for the use of the tenants, lodgers, boarders and workers thereat, adequate privies or water-closets, and the same shall be so adequately ventilated, and shall at all times be kept in such cleanly and wholesome condition as not to be offensive, or be dangerous or detrimental to life or health. And no offensive smell or gases, from or through any outlet or sewer, or through any such privy or water-closet, shall be allowed, by any person aforesaid, to pass

Gases not to escape.

into such house or any part thereof, or into any other house or building.

SEC. 23. That every owner, lessee, and tenant and manager of any boarding-house or manufactory, shall cause every part thereof and its appurtenances to be put, and shall thereafter cause the same to be kept, in a cleanly and wholesome condition, and shall speedily cause every apartment thereof in which any person may sleep, dwell, or work, to be adequately lighted and ventilated; and, if the same be a manufactory, shall cause every part thereof in which any person may work to be maintained at such temperature, and be provided with such accommodations and safeguards as not, by reason of the want thereof, or of anything about the condition of any such manufactory or its appurtenances, to cause unnecessary danger or detriment to the life or health of any person being properly therein or thereat.

Owners, etc.
of boarding-
houses and
factories to
provide for
cleanliness,
ventilation,
etc.

SEC. 24. That no keeper, or other officer or person having control or authority in any jail, prison, or other place where any person may be kept or confined, shall needlessly or illegally cause or allow any peril or detriment to the life or health of any such person, by reason of too little or too much heat, or of a want of food, drink, or ventilation, or from the want or neglect of any other reasonable care, protection, or precaution.

Prisons to be
ventilated
and food,
etc., pro-
vided.

SEC. 25. That every person, when cleaning any street, shall clean, and every contractor shall cause to be cleaned, the gutters and parts of the streets along which the water will run, before using any water to wash the same; and no substance that could be before scraped away shall be washed or allowed to be carried or be put into the sewer, or into any receptacle therewith connected.

Persons
cleaning
street to
clean gut-
ters.
H. Laws N.
Y., p. 163,
§ 13.

SEC. 26. That it shall be the duty of every person using, mak-

Drains and
sewers to be
adequate
and proper.

ing, or having any drain, soil pipe, passage, or connection between any sewer (or with either the North or East river) and any ground, building, erection, or place of business, and in like manner the duty of the owner and tenant of all grounds, buildings, and erections, and of the parties interested in such place of business or the business thereat, and in like manner the duty of all boards, departments, officers, and persons (to the extent of the right and authority of each), to cause and require that such drain, soil pipe, passage, and connection shall at all times be adequate for its purpose, and shall convey and allow freely and entirely to pass whatever enters or should enter the same.

Sufficient
water to
flush sewers
to be used.
H. Laws N.
Y., pp. 83,
162, § 25.

SEC. 27. That it shall be the duty of all boards, departments, officers, and persons having power and authority so to do or require (and to the extent thereof) to cause to be used sufficient water, and other adequate means to be taken, so that whatever substances may enter any sewer shall pass speedily along and from the same, and sufficiently far into some water or proper reservoir, so that no accumulations shall take place, and no exhalations from thence proceed dangerous or prejudicial to life or health.

Sewers to be
properly
constructed.
H. Laws N.
Y., pp. 162,
163.

SEC. 28. That the proper officers and authorities shall, to the extent of their power and ability, cause the sewers and drainage of said city to be so well located and constructed, so adequate in size, and to be so kept in repair and cleaned, and so adequately supplied with water, and with such proper arrangements and constructions in every particular, that life and health shall not be needlessly exposed, or suffer unnecessary peril or detriment by their neglect, or by reason of the defects or deficiencies of any sewers or drainage, or the want thereof.

FOOD AND DRINK.

SEC. 29. That no meat, fish, birds, or fowl, or vegetables, nor any milk, not being then healthy, fresh, sound, wholesome, and safe for human food, nor any meat or fish that died by disease or accident, shall be brought within said city, or offered or held for sale in any public or private market, as such food, anywhere in said city.

Unhealthy meat, etc., not to be brought into city.

SEC. 30. That no calf, pig, or lamb, or the meat thereof, shall be brought, held, or offered for sale, as such food, in said city, which, at the date of its death (being a calf), was less than four weeks old; or (being a pig), was, when killed, not more than five weeks old; or (being a lamb), was, when killed, not more than eight weeks old. Nor shall any meagre, sickly, or unwholesome fish, birds, or fowl be bought, held, sold, or offered for sale, as such food, in said city.

Age of animals whose meat is sold.

SEC. 31. That no cattle shall be killed for human food while in an overheated, feverish, or diseased condition; and all such diseased cattle, in the City of New York, and the place where found, and their disease, shall be at once reported to this Department by the owner or custodian thereof, that the proper order may be made relative thereto, or for the removal thereof from said city.

Cattle overheated or diseased not to be killed.

SEC. 32. That no meat, or dead animal above the size of a rabbit, shall be taken to any public or private market for food until the same shall have fully cooled (and all blood shall have ceased dripping therefrom) after its killing, nor until the entrails, head (unless the same be skinned), hide, horns, and feet shall have been removed. Nor shall gut-fat, or any unwholesome or offensive matter or thing, be brought to or near any such market.

Food not to be taken to markets till cool.

Gut-fat, etc. not to be brought to markets.

Parts of fish
to be re-
moved.

SEC. 33. That no person shall, in the built-up portion of New York, or adjacent thereto, sell or have for sale any fish or from any vehicle or in any street or public place, from which all parts which are not usually cooked for food have not been removed.

Decayed or
unwhole-
some vege-
tables.

SEC. 34. That no decayed or unwholesome vegetables shall knowingly be brought into said city to be consumed or offered for sale for human food, nor shall any such articles be kept or stored therein.

No poisonous
or unwhole-
some food in
saloons, etc.

SEC. 35. That no person, being the manager or keeper of any saloon, boarding-house, or lodging-house, or being employed as a clerk, servant, or agent thereat, shall therein or thereat offer or have for food or drink, or to be eaten or drank, any poisonous, deleterious, or unwholesome substance, nor allow anything therein to be done or to occur dangerous to life or prejudicial to health.

Meat cased,
blown, etc.,
not to be
kept or sold.

SEC. 36. That no cased, blown, plaited, raised, stuffed, putrid, impure, or unhealthy or unwholesome meat or fish, birds or fowl, shall be held, bought, or sold, or offered for sale for human food, or held or kept in any market, public or private, or any public place in said city.

Unwhole-
some meat,
etc., not sold
under wrong
names.

SEC. 37. That no meat, fish, vegetables, or milk, or unwholesome liquid, shall knowingly be bought, sold, held, offered for sale, labeled, or any representation made in respect thereof, under a false name or quality, or as being what the same is not, as respects wholesomeness, soundness, or safety for food or drink.

SEC. 38. That every person, being the owner, lessee, or occupant of any room, stall, or place where any meat, fish, or vege-

tables, designed or held for human food, shall be stored or kept, or shall be held or offered for sale, shall put and keep such room, stall, and place, and its appurtenances, in a cleanly and wholesome condition ; and every person having charge, or interest or engaged, whether as principal or agent, in the care, or in respect to the custody or sale of any meat, fish, birds, fowl, or vegetables, designed for human food, shall put and preserve the same in a cleanly and wholesome condition, and shall not allow the same, or any part thereof, to be poisoned, infected, or rendered unsafe or unwholesome for human food.

Stalls, etc., to be kept in clean and wholesome condition.

SEC. 39. That no butcher or dealer shall keep in any market any refrigerator or ice-box, unless the same shall be lined with lead or some proper metallic substance, so as to be water-tight, nor unless the same be provided with a pipe of lead, zinc, or copper leading therefrom to the nearest gutter or proper waste pipe.

Refrigerators in markets.

SEC. 40. That it shall be the duty of every person knowing of any fish, meat, fowl, birds, or vegetables being bought, sold, or offered, or held for sale as food for human beings, or being in any market, public or private, in said city, and not being sound, healthy, or wholesome for such food, to forthwith report such facts, and the particulars relating thereto, to this Department, or to one of its officers or inspectors.

Unsound food, etc., to be reported.

SEC. 41. That no person shall, without consent of this Department, bring into said city for use as a drink for human beings, or offer or have for sale in said city, as such drink, any poisonous or deleterious liquid.

Poisonous or deleterious liquids.

SEC. 42. That upon any cattle, meat, birds, fowl, fish, or vegetables being found by any inspector or other officer of this

Meat, etc.,
unfit for
food, how
treated.
H. Laws N.
Y., pp. 33,
34.

Department, in a condition which is in his opinion unwholesome and unfit for use as human food, or in a condition or of a weight or quality in this Code condemned or forbidden, he shall cause the same to be examined by two reputable persons, reasonably competent to judge in respect thereto, whom he may conveniently find; and if both said persons disagree with him in opinion in respect thereto, he shall take no action, and give no order, relative to the same, till he has been instructed by the City Sanitary Inspector; and if one or both of said persons agree with him in respect to said articles, then such inspector or officer may forbid the same being offered or exposed for sale, or being sold, for human food, till the owner or party in charge or other proper person has obtained the consent of the City Sanitary Inspector, or of this Board to their being so offered, used, or sold. And if both such persons agree with him in opinion, he may order the same to be removed; and thereupon, or if this Board shall have approved the judgment of said inspector, it shall be the duty of the owner and party in charge to speedily remove such articles from any market, street, or public place, and not to sell or dispose or offer to sell or dispose thereof for the purpose of human food. And in default of such removal, and also in case of disobedience to such order, and also in all cases where, in his opinion, such articles, by reason of their being in a decayed or offensive condition, would, if allowed longer to remain, be dangerous to health, the same (as this Board may provide) may be caused to be removed by any inspector, police officer, or officer of this Department, to some suitable place, at the expense of the party who should have removed the same, and the owner and party in interest must take notice thereof.

Drink dan-
gerous to
life.

SEC. 43. That no person shall sell or give to any other person or permit such other person to get (having the right and ability

to prevent the same) any drink, when such first-named person may have reason to think or believe that such drink may cause danger or detriment to life.

SEC. 44. That no distiller, or brewer, or other person, shall manufacture, or have or keep for sale, any liquid designed as a drink or beverage for human beings which would be, if used, needlessly dangerous or detrimental to life or health.

Drink need-
lessly dan-
gerous to
life.

SEC. 45. That no person shall have at any place where milk, butter, or cheese is kept for sale, nor at any place offer or have for sale, nor shall any person bring or send to said city, any unwholesome, watered, or adulterated milk, or milk known as swill-milk, or milk from cows or other animals that for the most part lived in stables, or that fed on swill, garbage, or other like substance; nor any butter or cheese made from any such milk, nor any unwholesome butter or cheese.

Unwhole-
some, wa-
tered, adul-
terated, or
swill milk.
Laws 1854,
ch. 544, p.
1195.

SEC. 46. That no person shall throw, or allow to run or pass, into any public reservoir, water-pipe, or aqueduct, or into or upon any border or margin thereof, or excavation or stream therewith connected, any animal, vegetable, or mineral substance whatever; nor shall any person allow the same to be done (having power or right to prevent the same); nor shall any person do or permit to be done (having right or power to prevent the same), any act or thing that will impair or peril the purity or wholesomeness of any water or other fluid used or designed as a drink in any part of said city, nor shall any person bathe (nor, except in the discharge of a public duty, put) any part of his person into such water; nor shall any unauthorized person open any erection or unscrew any hydrant holding such water.

Public reser-
voirs, water
pipes, etc.,
not to be de-
filed,
H. Laws N.
Y., pp. 163,
164, 165.

SEC. 47. That it shall be the duty of every person, officer, department, and board, having any authority and control in regard

Water to be kept pure.
H. Laws, N. Y., pp. 162,

to any water designed for human consumption (and within the proper sphere of the duty of each thereof), to take all usual and also all reasonable measures and precautions to secure and preserve the purity and wholesomeness of such water.

Injuring hydrants.

SEC. 48. That no person shall destroy nor in anywise injure or impair any drinking-hydrant, or part thereof, in the said city; nor shall any person interfere with the use or enjoyment of the water therein, or therefrom, or interrupt the flow thereof, for or as a drink; nor shall any person put any dirty, poisonous, medicinal, or any noxious substance into or near said water or hydrant, whereby such water is made or may be regarded as dangerous or unwholesome as a drink.

CATTLE, HORSES, &c.

Cattle, etc., not to run at large.
H. Laws, N. Y., p. 109, § 7.

SEC. 49. That no cattle, sheep, horse, goat, goose, or mule, or any dangerous or offensive animal, shall be allowed by any owner, or by any person having charge of or who shall have charge of the same, to go at large in any street or public place in the City of New York. And no pigs, swine, or cattle shall be unloaded from any cars upon any street or public place in the City of New York, except pursuant to a written permit from this Department.

Pigs, etc., not to be unloaded in street.

Swine and goats not to run at large or be kept.
H. Laws, N. Y., pp. 108, 109.

SEC. 50. That no person shall allow any swine or goat to run at large in said city, and no person shall, within the built-up portions of said city, or within one thousand feet of any residence or place of business or street thereof, keep any swine or goat, without a permit so to do from this Department.

SEC. 51. That no cattle shall be kept in any place of which

the water, ventilation, and food is not sufficient and wholesome for the preservation of their health, safe condition, and wholesomeness for food.

Cattle to be kept in healthy place.

SEC. 52. That no person shall keep or allow to be kept in any building, or on any premises, or on grounds of which he may be the owner, lessee, tenant, or occupant, more cows or other cattle than at the rate of fifteen to an acre (in or near the built-up portions of said city), without a permit from this Department. And every such person shall cause every stable and place where any cows, horses, or other animals may be, to be kept at all times in a cleanly and wholesome condition, and shall not allow any animal to be therein, while infected with any disease contagious or pestilential among such animals, without a permit from this Department.

Number of cows that may be kept.

Stables to be clean.

SEC. 53. That no cattle, swine, or sheep, geese, goats, or horses, shall be yarded within or adjacent to the built-up portions of the City of New York, without the permit of this Department, or otherwise than according to its regulations.

Cattle-yards require permit.

SEC. 54. That no cattle shall be placed or carried while bound or tied by their legs, or bound down by their necks, in any vehicle in said city, but shall be allowed freely to stand in such vehicle when transported, and while being therein.

Cattle not to be tied by legs, etc.

SEC. 55. That no cattle, swine, pigs, or calves shall be driven through the streets or avenues of the City of New York, or any of them, except between the hours of eight in the evening and two hours after sunrise of the next morning; nor shall any sheep be there driven except between the hours of eight o'clock in the evening and twelve o'clock, noon, of the next day; nor shall more than twenty cattle, or more than one hundred and

Time to drive cattle and sheep.

Number of
cattle, sheep,
and hogs
that may be
driven.

fifty hogs, or more than two hundred and fifty sheep or lambs, be driven together; and they shall be so driven only through the following streets, that is to say :

Streets to
drive cattle
in.

Forty-second street, in its entire length; Forty-fifth street, from First to Second avenue; Sixtieth street, from Eighth to Tenth avenue; the transverse road through Central Park at Seventy-ninth street; Ninety-second street, from Third avenue to Astoria ferry; Ninety-fourth street, from Third to Fifth avenue; One Hundred and Tenth street, from Second to Eighth avenue; One Hundred and Twenty-fifth street, from Eighth avenue to Manhattan street; First and Second avenues, in their entire lengths north of Fortieth street; Third avenue, between Ninety-second street and One Hundred and Tenth street; Fifth avenue, between Seventy-ninth street and One Hundred and Tenth street; Eighth avenue, from Sixtieth street to McComb's Dam road; McComb's Dam road, in its entire length; Tenth avenue, from Fortieth street to Sixtieth street; Harlem lane, from the intersection of One Hundred and Twenty-fifth street and Eighth avenue to the intersection of One Hundred and Tenth street and Sixth avenue; Eleventh avenue, from Forty-second street to Forty-ninth street; Fortieth and Forty-first streets, from the Hudson river to Tenth avenue; and Forty-fifth, Forty-sixth, Forty-seventh, Forty-eighth, and Forty-ninth streets, between Hudson river and Eleventh avenue.

Whenever a permit shall be or shall have been granted by this Department for any yard or slaughter-house for sheep or lambs, above Fortieth street, it shall be lawful to drive sheep or lambs to the said yard or slaughter-house from some proximate point on a street or avenue on which driving is permitted, and through such street or streets as may be designated in said permit.

It shall not be lawful to drive cattle, sheep, pigs, swine or calves through any street or avenue south of Fortieth street, nor to slaughter any cattle, sheep, pigs, swine or calves south of said street; nor shall any such cattle, sheep, swine, pigs or calves be allowed to pass upon or across any sidewalk, or to remain in the streets or avenues, except when being driven in accordance with this Sanitary Code.

Cattle, &c.,
not to be
driven or
slaughtered
below For-
tieth street.

Cattle arriving in the City of New York by cars or boats may be driven in accordance with this Code from the place of unloading, being north of Thirty-ninth street, to any existing cattle-yard, through the streets and avenues designated, without limit as to number, provided they are accompanied by one attendant, if composed of twenty or any less number of head; by two attendants for more than twenty and less than fifty head; by three attendants for more than fifty and less than one hundred head; and by one attendant for every additional forty head above one hundred.

Number of
drovers to
accompany
cattle, &c.

Such cattle and sheep as shall arrive within the Twenty-second and Thirtieth Police Precincts, as established by the Board of Police, by conveyances that, according to time-tables, should have arrived in season to be driven in conformity to this Code, but the actual arrival of which cattle or sheep has been delayed without the wrongful act of the owners of the same (or of the iragents), may be driven, when they shall arrive, to any established yards above Fortieth street, upon obtaining a written permit for driving the same (out of the hours fixed by this Code, but otherwise in conformity thereto), at the police station-houses in said precincts respectively, under such regulations as the police authorities may provide.

When cattle
may be
driven at
other times
than fixed
by Code.

SLAUGHTERING AND SLAUGHTER-HOUSES.

Keeping and slaughtering of animals to be in best manner.

No cattle to be slaughtered south of Fortieth street.

No slaughtering without permit.

SEC. 56. That the keeping and slaughtering of all cattle, and the preparation and keeping of all meat and fish, birds and fowl, shall be in that manner which is, or is generally reputed or known to be, best adapted to secure and continue their safety and wholesomeness as food. Neither the slaughtering nor the driving of cattle shall be permitted or conducted at any place in the City of New York south of Fortieth street; nor shall the slaughtering of cattle be conducted at any place in the City of New York north of said street, without a special written permit from this Department.

Slaughter-houses and markets to be kept clean.

Offal, blood, etc., to be removed.

SEC. 57. That every butcher and every person owning, leasing, or occupying any place, room, or building where any cattle have been or are killed or dressed, and every person, being the owner, lessee, or occupant of any room, stable where any cattle may be kept, or market, public or private, and having power and authority so to do, shall cause such place, room, building, stall (and market, being private), and their yards and appurtenances to be thoroughly cleansed and purified, and all offal, blood, fat garbage, refuse, and unwholesome or offensive matter to be therefrom removed, at least once in every twenty-four hours after the use thereof for any of the purposes herein referred to; and shall also, at all times (unless some public authority prevents), keep all wood-work, save floors and counters, in any building, place, or premises aforesaid, thoroughly painted or whitewashed.

Cattle not to be slaughtered or dressed in street.

SEC. 58. That no cattle shall be slaughtered, dressed, or hung, or the meat or any part thereof, within said city, wholly or partly within any street, avenue, or sidewalk, or public alley or place; nor shall any blood, or dirty water, or other substance from such

cattle, meat, or place of killing, or the appurtenances thereof, be allowed to run, fall, or to be in any such street, avenue, sidewalk, alley, or place.

Blood or water from slaughter-house not to run into street.

SEC. 59. That no building occupied wholly or partly as a slaughter-house, or any part thereof, or any building on the same lot, shall, without a special permit from this Department, be occupied for a dwelling or lodging place; that every such building shall at all times be kept adequately and thoroughly ventilated; that no blood shall be allowed to remain therein over night; that adequate underground connections shall be made from every such building with a public sewer, and the floor of such building on which the slaughtering is done, and the yard, shall be cemented and paved so as not to absorb blood, and so as to carry all liquid into the sewers.

Slaughter-houses not to be dwellings.

Construction of slaughter-houses.

SEC. 60. That neither the business of slaughtering cattle, nor the keeping of any slaughter-house, nor the yarding of cattle, shall be begun or undertaken at any new or additional place within the City of New York, except pursuant to a permit from this Department; nor shall any person or corporation keep any slaughter-house or yard, or any cattle therein, hereafter, without a permit from this Department.

Slaughter-houses and cattle-yards require permits.

SEC. 61. That no person shall kill or dress any animal or meat in any market, nor have, or permit to escape therein, or within one hundred feet thereof, any poisonous, noxious, nauseous, or offensive substance.

Animals not to be killed or offensive articles kept in markets.

SEC. 62. That no person shall become, or continue, or engage as, or in the business of, a butcher, at or in any public or private market or stand in the City of New York, without a permit therefor from this Department.

Butchers require permits.
H. Laws N. Y., p. 31, § 2.

Butchers,
etc., to allow
meats to be
examined.

SEC. 63. That every butcher and milk dealer, and their agents, shall allow the parties authorized by this Department, to freely and fully inspect their cattle and meats, fish and vegetables, held, offered, or intended for sale, and will be expected to answer all reasonable and proper questions asked by such persons relative to the condition thereof, and of the places where such articles may be.

SIDEWALKS.

Sidewalks
not to be oc-
cupied.

SEC. 64. That no person engaged in the selling or keeping for sale of any fish, meat, birds, fowl, or vegetables, shall, without a permit from this Department, occupy or encroach upon any portion of any street or sidewalk, or public place in the City of New York.

Water, etc.,
not to run on
sidewalk.
H. Laws, N.
Y., pp. 130,
131,
§§ 33, 37.

SEC. 65. That no person being owner, lessee, or tenant of any house or building, shall allow any water or other liquid to run from or out of his building or ground, upon or across any sidewalk or curbstone, and if such substance is allowed to pass upon any street it must reach the same by a passage, to be kept at all times adequate and in repair by such person, under or through such flagstone or curbstone; and no such water or other liquid, or ice therefrom, shall be allowed to gather or remain on the upper surface of such curb, flagstone, or passage; nor shall such person allow any accumulation of such water or liquid, or the ice therefrom, upon any street or place, but shall, at all times, cause the same to be removed, or to pass along the gutter or some proper passage to one of the rivers or into a sewer.

Snow and ice
to be re-
moved.
H. Laws, N.
Y., pp. 140
to 142.

SEC. 66. That every owner, lessee, tenant and occupant of any building or lot in the built-up portions of the City of New York, shall, within two hours after the fall of any snow exceed-

ing one inch in depth, and within two hours after the forming of any ice on the sidewalk or in the gutter, in front of or against the side of any such building or lot, remove, or cause the same to be removed, from such sidewalk and gutter, or in case of great difficulty in removing such ice, that every such person do sprinkle or cause to be sprinkled thereon sand or ashes, so that travelling thereon shall not be perilous; but that where said snow falls or ice forms between the hours of eight o'clock of the evening and daylight in the morning, this ordinance will be complied with by removing or sprinkling the same within two hours after sunrise of the morning succeeding its fall or formation.

Ashes to be sprinkled.

SEC. 67. That every owner, tenant, lessee, and occupant of any building or lot (whether vacant or occupied), within or near the built-up portions of said city, shall keep and cause to be kept the sidewalk and flagging, and curbstone in front thereof, in good repair and condition; and that every such person shall keep and cause every such sidewalk to be kept free from obstructions, as well as also free from any incumbrance, and free from all substances of every kind.

Walks, etc., to be kept in repair and free from incumbrances. H. Laws, N. Y., p. 132, § 40.

SEC. 68. That no person shall take, or allow to go or be taken (having the right and ability to prevent the same), any horse or other animal, nor any vehicle, upon any sidewalk or footpath in front of any building, to the peril of any person; nor shall any person block up or obstruct any street or place, or contribute thereto.

Animals not to go on sidewalks.

POUNDS.

SEC. 69. That no person shall act as or be a keeper of any public pound in the City of New York, except pursuant to a permit from this Department.

Pounds. H. Laws, N. Y., p. 83. N. Y. Ordinances, 1859, p. 425.

Treatment of
animals.

SEC. 70. That no keeper of any such pound shall allow the same, or any animal therein, by reason of any want of care, food, ventilation, or cleanliness, or otherwise, to be or become dangerous or detrimental to human life or health.

Regulations
as to pounds.

SEC. 71. That every such pound-keeper shall, from time to time, report to this Department, as its special regulations may require, and shall obey and conform to all such regulations; and that in the mean time such pounds shall, in the particulars not herein mentioned, be regulated by the rules heretofore enacted by the proper authorities of said city.

Dogs, &c.

Dogs to be
muzzled.
N. Y. Ordinances, 1859,
p. 406.

SEC. 72. That no person shall take or call any dog into, or allow any dog to go into, any street or public place, in the City of New York, between the fifteenth day of June and the fifteenth day of September in any year, unless properly muzzled, and nothing in this section shall repeal or supersede any existing regulations as to such dogs, not inconsistent herewith.

Mad animals

SEC. 73. That every animal which is mad or has the hydrophobia, or shows symptoms thereof, shall, by the person owning the same, or having the possession, charge, or control thereof, be at once killed; and every animal that has been exposed to such disease, shall be at once confined in some secure place for such length of time as to show that such exposure has not given such animal said disease, and so as to avoid all danger to life or health. And the dead body of any animal that died of such disease shall be at once, by such person, buried not less than three feet under ground, at some place not within one thousand feet of any residence.

OFFENSIVE ODORS AND LIQUIDS.

SEC. 74. That no person shall permit or have any offensive water or other liquid or substance on his premises or grounds to the prejudice of life or health, whether for use in any trade or otherwise ; and no establishment or place of business for tanning, skinning, or scouring, or for dressing hides or leather, or for carrying on any offensive or noisome trade or business, shall hereafter be opened, started, or established in the City of New York without a permit of this Board. And every such establishment now existing shall be kept cleanly and wholesome, and be so conducted in every particular as not to be offensive, or prejudicial to life or health.

Offensive liquids forbidden. Tanneries. Offensive trades. H. Laws, N. Y., pp. 143, 144.

SEC. 75. That no person or company being a manufacturer of gas, or engaged about the manufacture thereof, shall throw or deposit, or allow to run, or having the right or power to prevent the same, shall permit to be thrown or deposited into any public waters, river, or stream, or into any sewer therewith connected, or into any street or public place, any gas-tar, or any refuse matter of or from any gas-house, works, or manufactory ; nor shall any such person or company allow any substance or odor to escape from such house, works, or manufactory, or make any gas of such ingredients or quality that any substance shall escape therefrom, or be formed in the process of burning any gas, which shall be offensive or dangerous, or prejudicial to life or health. Nor shall any such person or company fail to use the most approved or all reasonable means for preventing the escape of odors.

Gas-tar, etc., not to escape. Valentine's Laws N. Y., p. 1299, Act 13th May, 1845.

Odors to be prevented.

SEC. 76. That no water-closet, sink, tub, vat, or other structure shall hereafter be constructed within the City of New York, having

Water-closets, etc. to be properly trapped.

H. Laws, N. Y., pp. 112, 113.

connection with, or by any sewer or underground passage, unless the same is provided with adequate, or the best generally approved constructions and precautions for preventing gases and other offensive currents, substances or smells from passing up or out through such connection from such sewer or passage; nor shall any such water-closet or privy be constructed without adequate provisions for the effectual and proper ventilation and cleansing thereof.

Bone boiling, shell burning, fat boiling, etc.

H. Laws, N. Y., pp. 145 to 148.

SEC. 77. That no person shall boil any offal, swill, bones, or fat in the built-up portions of said city, save in ordinary cooking, nor shall the business of bone crushing, bone boiling, bone grinding, bone burning, shell burning, fat boiling, gut cleaning, nor the skinning or making of glue from any dead animals or parts thereof, nor any other occupation that is dangerous or detrimental to life or health, be hereafter established within said city; and no business or pursuit of the kind in this section named shall be carried on anywhere in said city, unless the same be allowed by a permit of this Board.

Boiling offal, swill, bones, fat, &c.

SEC. 78. That no person shall boil any offal, swill or bones, nor any fat, tallow, or lard (except at once upon the same being taken from the animal, and while the same is fresh and otherwise inoffensive), nor shall the business of bone crushing, bone boiling, bone grinding, bone burning, shell burning, gut cleaning, nor the skinning of or making of glue from any dead animal or part thereof, nor the storage or keeping of scrap, fat or grease or offensive animal matter, be permitted or conducted at any place in the City of New York south of One Hundred and Tenth street; nor shall any business hereinbefore mentioned be conducted at any place in the City of New York north of said street, without a special permit from this Board; nor shall the

Shell burning, gut cleaning, bone grinding, &c.

business of boiling or rendering the fresh lard, fat or tallow aforesaid, be conducted within said city without a like special permit from this Board; and such permit must be applied for in writing, specifying the nature and precise location of the proposed business, and such application will not be acted upon until the second regular meeting, two weeks after such application.

Rendering.

SEC. 79. That no person shall hereafter erect, start, or establish in said city, without the consent of this Board, any manufactory or place of business for boiling any varnish or oil or for the distilling of any ardent or alcoholic spirits, or for making any lampblack, turpentine or tar, or for conducting any other business that will or does generate any unwholesome, offensive or deleterious gas, smoke, deposit, or exhalation, or any business that is or would be dangerous to life or detrimental to health.

New varnish
or other fac-
tories.

SEC. 80. That no animal or vegetable substance, nor street-sweepings, muck, or silt, nor dirt gathered in cleaning yards, buildings, docks, or slips, nor waste of mills or factories, nor any materials which are offensive, or tend by decay to become putrid or to render the atmosphere impure or unwholesome, shall be deposited or used to fill up or raise the surface or level of any lot, grounds, dock, wharf, or pier in or adjacent to the built-up portions of said city, or any ground filled for the purpose of building thereon, unless pursuant to a special permit from this Board.

Filling
grounds.

SEC. 81. That no ground or material filled with offensive matter or substance, or that will emit or allow to arise, through or from the same, any offensive smell or deleterious exhalation, shall (adjacent to or within the built-up portion of said city) be

When
ground not
to be opened.
H. Laws, N.
Y., p. 142.

opened or turned up, or the surface thereof removed, between the first day of May and the first day of October of any year, except according to permit first therefor obtained from this Board.

FILTH—DIRT.

Contents of
privies,
manure, etc.,
not to be
thrown into
street or
river.

SEC. 82. That no part of the contents of or substances from any sink, privy, or cesspool, nor any manure, ashes, garbage, rubbish, or dirt, shall be by any person flung or allowed to run or drop into or remain in any street or public place, except as herein elsewhere specified; nor shall the same be thrown or allowed to fall or run into the North or East river, save through the proper underground connection.

Liquid filth
not to run
on sidewalk.

SEC. 83. That no swill, brine, urine of animals or other offensive animal nuisance, nor any stinking, noxious liquid, or other filthy matter of any kind, shall by any person be allowed to run or fall from or out of any building, vehicle, or erection into or upon any street or public place, or be taken or put therein, save as herein elsewhere provided.

Offal or gar-
bage not to
be thrown in
street, sewer,
etc.

SEC. 84. That no butchers' offal or garbage, nor any dead animals, nor any putrid or stinking animal or vegetable matter, shall be thrown by any person or allowed to go into any street, place, sewer, or receiving-basin, or into any river or standing or running water or excavation, or upon any ground or premises in the built-up portions of said city.

Contents of
privies not to
run on street
or ground.

SEC. 85. That no person shall draw off, or allow to run off into any ground, street, or place of said city, the contents (or any part thereof) of any vault, privy, cistern, cesspool, or sink; nor shall any owner, tenant, or occupant of any building to which any

vault, sink, privy, or cesspool shall appertain, or be attached, permit the contents, or any part thereof, to flow therefrom, or to rise within two feet of any part of the top, or permit said contents to become offensive; nor shall any privy, or other erection in this section mentioned, be filled with or covered with dirt till its filthy contents shall be emptied.

Contents of privies not within two feet of top, nor privies filled with dirt till emptied.

SEC. 86. That no person shall throw into, or deposit in any vault, sink, privy, or cesspool, any offal, ashes, meat, fish, garbage, or other substance, except that of which any such place is the appropriate receptacle.

What not thrown into privies, etc.

SEC. 87. That neither the contents of any such tub, or of any receptacle, cesspool, privy, vault, sink, or water-closet, cistern, nor anything in any room, excavation, vat, building, premises, or place, shall be allowed to become a nuisance, or offensive, so as to be dangerous or prejudicial to life or health.

Contents of privies not to become offensive.

SEC. 88. That every tub or other receptacle in any necessary house, sink, or privy (or placed, or allowed to stand therein, by any owner, tenant, or occupant of any building, or premises, and) used to contain any liquid or partially liquid substance, shall be sufficiently strong, perfectly tight, and adequately provided with a strong cover and with hoops and handles; shall not be allowed to be filled to within four inches of any part of the top, and shall not be allowed (or its contents) to be offensive. And the provisions of this code relative to emptying cesspools, and to throwing any substance therein, shall apply to said tubs and receptacles as if here repeated and applied thereto.

Tubs, etc., in privies.
H. Laws, N. Y., pp. 114, 115.

And no person shall throw, drop, or allow to fall into the North or East river, or into any street or place, any substance being, or having been part of, the contents of any such vault, cesspool, privy, sink, tub, or receptacle, or any offal.

Contents of privies not thrown into river or street.

Dirt, brick,
etc., in
street.
H. Laws N.
Y., pp. 121,
122, 124, 125

SEC. 89. That no person shall deposit upon any street or public place within the generally built-up portion of the City of York, or upon any paved street, any dirt or brick, or other material or dirt taken from any ground therein, in such manner as to occupy more than one hundred square feet of surface of any street or place (and the same shall be compact and at one side), nor allow the same to remain more than twelve hours, without a permit from this Department, or unless such occupancy shall be otherwise duly authorized by paramount authority. Nor shall any such substance be so deposited or allowed to remain by any person as to obstruct the free flowage along any gutter.

Receptacles
for garbage,
etc., to be
provided.
H. Laws, N.
Y., p. 133.

SEC. 90.* That it shall be the duty of every owner, tenant, lessee, and occupant of any and every building or place of business in the generally built-up portions of the city of New York, forthwith to provide or cause to be provided, and at all times thereafter to keep and cause to be kept and provided, within such building or place of business, suitable and sufficient boxes, barrels, or tubs for receiving and holding, without leakage, and without being filled to within four inches of the top thereof, all the ashes, rubbish, garbage, and liquid substances, of whatever kind, that may accumulate during thirty-six hours from said building or place of business, or the portion thereof of which such person may be the owner, tenant, lessee, or occupant; and every such box, barrel, and tub designed to hold ashes shall be made of or lined with some suitable metal. That a separate vessel shall be provided for ashes and rubbish, and another for garbage and liquid substances; and ashes and rubbish shall not be placed or kept in the same vessels with garbage and liquid substances; and all ashes, rubbish, garbage, and liquid substances that should be removed from such building and place of business, or from that part for which said receptacles were provided,

Ashes and
rubbish not
to be in same
vessel with
garbage and
liquid refuse.

* As amended July 12, 1870.

and none other (without the proper consent), shall be placed therein, and no such box, barrel, or tub shall remain on any sidewalk, or in any public place, longer than may be needful for the removal of the contents thereof.

Ashes, garbage, etc., to be removed.

SEC. 91. That such boxes, tubs, and barrels shall be placed and kept in such position (unless kept within or upon private grounds, within the sidewalks) as the inspectors or agents of this Department shall provide or the police direct; and no person, not for that purpose authorized, shall interfere therewith, or with the contents thereof.

Where garbage boxes kept.

SEC. 92. That all occupants, so preferring, may deliver their ashes, garbage, and rubbish directly to the proper carts, to be taken away at any hour of the day when said carts may be present; and said carts may take such articles from receptacles delivered at any such hour; provided, that such garbage or rubbish be not highly filthy or offensive; and in the latter case, the same shall not be so delivered or received during the period from seven o'clock A.M. of any day till ten o'clock of the evening of the same day.

Garbage, etc., may be delivered directly to carts.
H. Laws. N. Y., p. 122, § 11.

Unless highly offensive.

SEC. 93. That no lime, ashes, coal, dry sand, hair, feathers, or other substance that is in a similar manner liable to be blown by the wind, shall be sieved or agitated or exposed, nor shall any mat, carpet or cloth be shaken or beaten, nor any cloth, yarn, garment or material or substance be scoured, cleaned, or hung, nor any business be conducted over or in any street or public place, or where it, or particles therefrom, or set in motion thereby, will pass into any such street or public place, or into any occupied premises. That neither any usual nor any reasonable precaution shall be omitted by any person to prevent fragments or other substances from falling, to the peril of life, or dust and

Lime, coal, etc., not sifted, etc., in street.
H. Laws. N. Y., p. 192.

Precaution in building.

light material flying into any street, place, or building, from any building or erection, while the same is being altered, repaired, or demolished, or otherwise.

Persons paving streets to remove rubbish, etc.
H. Laws, N. Y., p. 129.

SEC. 94. That every person who shall have paved, or caused to be paved, any street or place, shall cause all rubbish, dirt, and whatsoever else he has deposited, or allowed to be deposited on such pavement, to be removed from the several parts of such pavements within five days from the time of the same being deposited thereon. And every person who has removed any flagstone, curbstone, pavement-stone, or other stone, or dirt or iron in or from any street, sidewalk, or place, for the purpose of repairs, or for the purpose of paving, flagging, or curbing, or repairing, re-curbing, or re-flagging, or making any repairs or changes, or otherwise, shall cause the same or a proper substitute therefor to be placed or replaced and completed as soon as the same can reasonably be done.

Pavement, etc., when removed to be replaced.

Manure to be removed.

SEC. 95. That every owner, lessee, tenant, and occupant of any stall, stable, or apartment in which any horse, cattle or swine, or any other animal shall be kept, or of any place in which manure or any liquid discharge of such animals shall collect or accumulate, within the built-up portion of said city, shall cause said liquid and manure to be at once removed to some proper place, and shall at all times keep or cause to be kept such stalls, stables, and apartments, and the drainage, yard, and appurtenances thereof, in a cleanly and wholesome condition, so that no offensive smell detrimental to health shall be allowed to escape therefrom; and when within three hundred feet of any occupied dwelling-house, or of any manufactory where more than five persons are employed, the removals from the stable shall not be made, nor shall the manure or refuse from the stable be allowed to remain on any street or place near such stable, any time

between eight o'clock, A. M., and six o'clock, P. M. Every such stall, stable, or apartment, where horses or cattle are kept, shall have an underground and properly covered manure vault of not less than sixty-four cubic feet capacity. But the Sanitary Permit Bureau is authorized to issue permits to be regularly reported to this Board regulating such removal within said hours.

Manure
vault.

SEC. 96. That no person shall empty, or attempt to empty, any vault, sink, privy, or cesspool in the City of New York, except pursuant to a permit therefor first received from this Department.

Privies, etc.,
not to be
emptied
without per-
mit.
H. Laws,
N. Y.,
p. 83, § 26.

SEC. 97. That the drivers of all carts for the removal of any garbage, offal, rubbish, or dirt from any building or premises, shall give adequate notice to those dwelling in any street whose buildings or premises such cart is about to or should approach for the removal of any substance aforesaid.

Notice to be
given before
garbage.
carts.
H. Laws, N.
Y., p. 135,
§ 5.

SEC. 98. That no person shall engage in the business of a scavenger, or of transporting manure, swill, ashes, offal, rubbish, or garbage, or any offensive or noxious substance, or in driving any cart for such purpose, in the City of New York (except the persons acting under the street cleaning commissioners, or the contractors for cleaning the streets, and as this Department may provide), until he shall have first received a permit from this Department of such form and effect as the regulations of the Board shall provide, authorizing such person so to engage.

Permits re-
quired for
scavengers,
carriers of
manure, of-
fal, garbage,
etc.
H. Laws, N.
Y., pp. 80,
89, 102.

SEC. 99. That every cart and other vehicle hereafter constructed for or engaged about any business, or intended to be loaded with any matter or substance in the last section mentioned, shall be constructed according to this Code, and to the regulations and orders of the Board of Health of the Health Department.

Construction
of carts, H.
Laws, N. Y.,
pp. 126, 127.

SEC. 100. That no cart or other vehicle for carrying any offal, swill, garbage, or rubbish, or the contents of any privy, vault, cesspool, or sink, or having upon it or in anything on such cart

Carts, etc.,
used in
removing
garbage, etc.

any manure, or other nauseous or offensive substance, shall, without necessity therefor, stand or remain, nor shall a needless number gather before or near any building, place of business, or other premises where any person may be; nor shall any such cart or vehicle occupy an unreasonable length of time in loading or unloading, or in passing along any street or through any inhabited place or ground; nor shall any such cart or vehicle, or the driver thereof, or anything thereto appertaining, be (or by any person having a right to control the same, be allowed to be) in a condition needlessly filthy or offensive; and when not in use, all such carts, vehicles, and all implements used in connection therewith, shall be stored and kept in some place where no needless offense shall be given to any of the people of said city.

SEC. 101. That all carts and vehicles in the last section mentioned, and boxes, tubs, and receptacles thereon, in which any substance in said section referred to may be or be carried, shall be strong and tight, and the sides shall be so high above the load or contents that no part of such contents or load shall fall, leak, or spill therefrom; and that when, in the opinion of this Board, it is necessary to prevent the contents of such carts or vehicles, tubs or boxes, or receptacles from being offensive, each of such carts, tubs, and boxes, and receptacles shall be adequately and tightly covered, as the orders or regulations of this Department may provide or direct.

SEC. 102. That no driver of such cart or vehicle, nor any person having undertaken or being engaged about the loading or unloading thereof, nor person engaged about the cleaning or emptying, or having undertaken to empty or remove any manure, garbage, offal, or the contents, of any vault, sink, privy, cesspool, or any noxious or offensive substance, shall do or permit to be done about the same, or in connection therewith, that which shall be needlessly offensive or filthy in respect to any person, street, place, building, or premises.

Carts and boxes to be strong and tight and not spill contents
H. Laws,
N. Y., pp.
110, 126, 127.

Emptying privies, etc., to be carefully conducted.

SEC. 103. That no person shall allow (and it shall be the duty of every contractor and person who has ordered or procured, or is having any of the following articles carried, or who is driving the same, to prevent) any cart or vehicle to be so fully loaded, or being in such bad condition of repair, or of such faulty construction, or being so improperly driven or managed, that any offensive liquid, or any manure, garbage, rubbish, offal, dirt, or material thereon, shall fall upon or in any place, street, or premises; and it shall be the duty of every such person to at once replace on such vehicle and remove what has so fallen.

Liquid,
manure, etc.
not to escape
from carts,
etc.
H. Laws, N.
Y., p. 124.

SEC. 104. That all putrid or offensive matter, and all night-soil, and the contents of sinks, privies, vaults, and cesspools, and all noxious substances in the built up portion of said city, shall, before their removal or exposure, be disinfected and rendered inoffensive by the owner, lessee, or occupant of the premises where the same may be, or (in default of the same being so done) by the person or contractor who removes or is about to remove the same; and for all such matter so disinfected and rendered inoffensive, the person (not being such tenant, owner, or occupant) who shall so disinfect and remove the same, shall be entitled to demand and receive a compensation, to be fixed by the Board of Health of the Health Department, not exceeding twelve cents per cubic foot for making such disinfection and removal, to be paid by such tenant, owner, or occupant.

Contents of
privies, etc.,
to be disin-
fected.

SEC. 105. That neither the owner, tenant, nor occupant of any building or premises, in the built-up portions of the City of New York, shall employ, cause, or permit any part of the contents of any vault, privy, sink, or cesspool (being thereon, and of which he has control) to be removed, unless according to a permit or the regulations of the said Department.

Privies not to
be emptied
except with
permit.

Manure, etc.,
not to be
accumu-
lated.
H. Laws,
N. Y.,
pp. 126, 127,
128.

SEC. 106. That no pile or deposit of manure, offal, dirt, or garbage, nor any accumulation of any offensive or nauseous substance, shall be made within the built-up portions of the City of New York, or upon any open space inclosed within any portions thereof, or upon the piers, docks, or bulkheads adjacent thereto, or upon any open grounds near (or upon any vessel or scow other than those to be speedily, and according to the duty of any person, removed, lying at) any such pier, wharf, or bulkhead, except according to a resolution of this Board specially authorizing the same, and a permit obtained from the Sanitary Permit Bureau of this Department, and according to its regulations. And no person shall contribute to the making of any such accumulations. Nor shall any straw, hay, or other substance which has been used as bedding for animals, be placed or dried upon any street or sidewalk, or roof of any building.

Manure,
garbage, &c.,
not to be
placed with-
in 300 feet of
dwellings,
&c.

SEC. 107. That no pile or deposit of manure, offal or garbage, nor any accumulation of any offensive or nauseous substance, shall be made within three hundred feet of any church or place of worship, nor within the limits of said city within three hundred feet of any inhabited dwelling, nor shall any person or corporation unload, discharge, or put upon or along the line of any railroad, street, or highway, or public place within said city, any manure, offal, garbage, or other offensive or nauseous substance, within three hundred feet of any inhabited dwelling, nor shall cars or flats loaded with or having in or upon them any such substance or substances be allowed to remain or stand on or along any railroad, street, or highway within the limits of said city within three hundred feet of any inhabited dwelling.

SEC. 108. That every proprietor, lessee, tenant, and occupant of any oyster-house, oyster saloon, or other premises where any

oysters, clams, lobsters, or shell or other fish are consumed, used, or sold, or where any of the refuse matter, offal, or shells thereof accumulate, shall daily cause all such shells, offal, and refuse matter to be removed therefrom to some proper place, and shall keep his house, saloon, and premises at all times free from any offensive smells or accumulations.

Oystersaloon
keepers, etc.,
to remove
shells, etc.
H. Laws, N.
Y., p. 121,
§ 5.

SEC. 109. That the owners, lessees, tenants, and managers of every blacksmith or other shop, forge, coalyard, foundry, manufactory, and premises where any business is done, shall cause all ashes, cinders, rubbish, dirt, and refuse to be removed to some proper place, so that the same shall not accumulate at any of the above-mentioned premises, or in the appurtenances thereof, nor the same become filthy or offensive. Nor shall any smoke, cinders, dust, gas, or offensive odor be allowed to escape from any such building, place, or premises to the detriment or annoyance of any person not being therein or thereupon engaged.

Duty with
reference to
blacksmiths'
shops, found-
ries, coal
yards, etc.
H. Laws,
N. Y.,
p. 121, § 5.

SEC. 110. That from and after the 1st day of June, 1870, every furnace employed in the working of engines by steam, or in any mill, factory, printing-house, dye-factory, iron-foundry, glass-house, distillery, brew-house, sugar-refinery, bakehouse, gasworks, or in any other buildings used for the purposes of trade or manufacture, shall be so constructed as to consume or burn the smoke arising therefrom, unless a permit to the contrary be obtained from this Department.

Furnaces.

SEC. 111. That no vault, privy, sink, cistern, or cesspool shall hereafter be made or rebuilt in the City of New York, except in accordance with the regulations, and pursuant to a permit first obtained from this Department; nor shall any erection or cover be made or put upon, or over the same, until the same has been inspected by the Inspector of Sanitary Permits, or an officer de-

Vaults,
privies, etc.,
how built.
H. Laws, N.
Y., p. 112.

tailed by him, and been found to correspond to such permit and regulations; and no privy shall be built within two feet of the line of any lot.

DISEASED ANIMALS.

Diseased
horses, etc.,
not to be
brought into
city.

SEC. 112. That no diseased or sickly horse, cattle, swine, sheep, dog, or cat, or other animals, nor any that have been exposed to any disease that is contagious among such animals, shall be brought into the City of New York.

DEAD, SICK, AND INJURED ANIMALS.

Disposition
of dead ani-
mals.
H. Laws, N.
Y., pp. 101,
102.

SEC. 113. That no person shall leave in or throw into any place or street or public water, nor offensively expose or bury, the body (or any part thereof) of any dead or fatally sick or injured animal; nor shall any person keep any dead animal or any offensive meat, bird, fowl or fish in a place where the same may be dangerous to the life or detrimental to the health of any person.

Animals
injured or
diseased,
how disposed
of.

SEC. 114. That any animal, being in any street or public place, within or adjacent to the built-up portions of New York City, and appearing in the estimation of any officer or inspector of this Department (and of two discreet citizens, called by such officer or inspector to view the same in his presence) injured or diseased, past recovery for any useful purpose, and not being attended and properly cared for by the owner or some proper person to have charge thereof for such owner; or not having been removed to some private premises, or to some place designated by such officer or inspector within one hour after being found or left in such condition, may be deprived of life by such officer or inspec-

tor, or as he may direct, and shall thereafter, unless at once removed by the owner or proper person, be treated as any other dead animal found on a street or place.

SEC. 115. That any person having a dead animal or an animal past recovery, and not killed for and proper for use as meat or fish, or in an offensive condition or sick with an infectious or contagious disease, on his premises in said city, and every person whose animal, or any animal in his charge or under his control in any street or place, may die or become or be in a condition past recovery, shall at once remove or cause the removal of such animal, dead or alive, to some proper place; and when such place may be designated by the City Sanitary Inspector of this Department, to the place so designated.

Dead animals to be removed.

SEC. 116. That it shall be the duty of the owner, and of the person that last had or then having charge of any animal, so dead or injured or diseased, and being in any street or public place, to at once give notice thereof, and of the nearest street and avenue where it may be, to some inspector or officer of this Department, or of the Bureau of the City Sanitary Inspector, unless such animal is at once removed by some proper person.

Notice of dead animals to be given.

SEC. 117. That no person other than the inspectors or officers of this Department or the Board of Police, or persons thereto authorized, shall in any way interfere with such dead, sick, or injured animal in any street or place, and no person shall skin or wound such animal in such street or public place, unless to terminate its life as herein authorized, except that the owner or person having control of such animal may terminate the life thereof in the presence and by the consent of a policeman or an inspector or officer of this Department.

Treatment of sick or injured animals in streets.

Offal docks,
etc., not to
be obstructed.

SEC. 118. That no person shall obstruct, delay, or interfere with the proper and free use, for the purposes for which they may be, and should be, set apart and devoted, of any dock, pier, or bulkhead set apart for the use of any contractor or person engaged in removing any offal, garbage, rubbish, dirt, dead animals, night-soil, or other like substances, or with the proper performance of such contracts.

Offal and
street contractors to
act promptly

SEC. 119. That it shall be the duty of every contractor and person (his agents and employees) who has contracted or undertaken to remove any diseased or dead animal, offal, rubbish, garbage, dirt, street-sweepings, night-soil, or other filthy, offensive, or noxious substance, or is engaged about any such removal, or in loading or unloading of any such substance, to do the same with dispatch, and in every particular in a manner as cleanly and little offensive, and with as little danger and prejudice to life and health as possible.

Street dirt
not to be left
in heaps.
Philadelphia
Rule. Rep.
of 1861, p.
31.

SEC. 120. That no matter or material in the section last mentioned shall lay piled up, or partially raked together, in any street or place before the removal thereof, more than a reasonable time, nor for more than four hours in the daytime, under any circumstances.

Vessels not
to go to offal
dock.
H. Laws,
N. Y.,
p. 102, § 7.

SEC. 121. That no ship, boat, or other vessel or article, shall be taken or allowed by any person to come into or lay to or at or within any dock, pier, bulkhead, or slip (or be placed thereon), set apart or appropriated for the use or purpose of the shipment or removal of any offal, garbage, rubbish, dirt, or dead animals, or for the use of any contractor about the removal of any of the foregoing substances, without a permit from this Department.

REPORTS AS TO CONTAGIOUS AND INFECTIOUS DISEASES.

SEC. 122. That every physician shall report to the Bureau of Sanitary Inspection, in writing, every person having a contagious disease (and the state of his or her disease, and his or her place of dwelling and name, if known) which such physician has prescribed for or attended for the first time since having such a contagious disease, during any part of the preceding twenty-four hours; but not more than two reports shall be required in one week concerning the same person; but every attending or practicing physician thereat must, at his peril, see that such report is or has been made by some attending physician.

Physicians
to report
persons sick
with con-
tagious
diseases.
H. Laws,
N. Y., p. 35.

SEC. 123. That every keeper of any boarding-house or lodging-house, and every inn-keeper and hotel-keeper, shall, within twenty-four hours, report in writing to the Bureau of Sanitary Inspection, the same particulars in the last section required of any physician concerning any person being at any of the afore-said houses or hotels, and attacked with any contagious disease.

Hotel-
keepers, etc.,
to report.
H. Laws,
N. Y., pp.
35, 36.

SEC. 124. That the commissioners, managers, principal, or other proper head officer of each and every public or private institution in said city shall twice in each week report in writing (or cause such report by some proper and competent person to be made twice in each week) to the Bureau of Sanitary Inspection, and state therein the name, if known, and condition, and disease of any and every person being thereat, and sick of any contagious disease.

Institutions
to report.
H. Bill, § 24.

SEC. 125. That the master, chief officer, and consignee, or one of them, of every vessel, not being in quarantine, or within quarantine limits, but being within one-fourth of a mile of any dock, wharf, pier or building of said city, shall daily report to the Bureau of Sanitary Inspection, or cause to be reported, in

Masters of
vessels to re-
port.
H. Laws, N.
Y., p. 36,
§ 12.

writing, the particulars, and shall therein state the name, disease, and condition of any person being in or on such vessel, and sick of any contagious disease.

Duty to report persons sick of contagious diseases.
H. Laws, N. Y., p. 35.

SEC. 126. That it shall be the duty of every person knowing of any individual in said city sick of any contagious disease (where such person shall have reason to regard such individual as neglected or not properly cared for, and to avoid giving said disease to others), and the duty of every physician hearing of any such sick person, who he shall have reason to think requires the attention of this Department, to at once report the facts to the Bureau of Sanitary Inspection in regard to the disease, condition, and dwelling-place or position of such sick person.

Boarding and lodging-house keepers to report sick persons.
H. Laws, N. Y., pp. 35, 36.

SEC. 127. That the keepers, lessees, tenants, and owners of every boarding-house and lodging-house shall, within six hours after the fact shall come to his or her or their knowledge, notify the Bureau of Sanitary Inspection in writing of the fact of any seafaring man or person lately from any vessel being taken sick at such house, and shall in such notice state where such sick person may be found, and from what vessel, and when he came, to the best of the knowledge of the person or persons giving such notice.

Officers, etc., of vessels to report.
H. Laws, N. Y., p. 31, subd. 5.

SEC. 128. That every master and chief officer of any vessel, and every physician of, or who practiced on, any vessel which shall arrive in the port of New York from any other port, shall at once report to this Department any facts connected with any person or thing on said vessel, or that came thereon, which he has reason to think may endanger the public health of this city; and he shall report the facts as to any person being or having been sick thereon of a contagious disease, and as to their being, or having been during the voyage or since her arrival, any infected person or articles thereon.

SEC. 129. That every master, charterer, owner, part owner, and consignee of any vessel or of the cargo thereof which shall be in the water of said city, unless detained in quarantine, shall at once give, or cause to be given, to the City Sanitary Inspector, written notice of any infected article or person, and of every person sick of a contagious disease, being or having within ten days been on board said vessel; and also of each and every fact and thing relative to said vessel, sick person or cargo, or to the crew of such vessel, which any of the first-mentioned persons shall have reason to think may be useful for this Department to know, or be or become dangerous or prejudicial to life or health in said city.

Notice of persons sick on vessels. H. Laws, N. Y., p. 31, subd. 3.

REMOVALS FROM, AND UNLOADING OF, VESSELS.

SEC. 130. That every master, owner, charterer, part owner, and consignee of any vessel that shall bring any cotton into the port of New York and within the limits of the City of New York, between the first day of May and the first day of November of each year, shall at once report to this Department, or cause to be made, in writing, a report to this Department of, the fact of any such cotton being in a dangerous, infected, or unsound condition, or having been exposed to any infection.

Cotton to be reported. H. Laws, N. Y., p. 38, § 21.

SEC. 131. That no master, charterer, owner, part owner, or consignee of any vessel, or any other person, shall bring to any dock, pier, wharf, or building within one thousand feet thereof, in said city, or unload at any dock, building, or pier therein, or have on storage in the built-up portion of said city any skins, hides, rags, or similar articles or materials, having been brought from any foreign country or any infected place, or from any point south of Norfolk, Virginia, without or otherwise than according to a

Skins, hides, rags, etc., arriving not to be unloaded except by permit. H. Laws, N. Y., p. 28, § 22, p. 31, subd. 5.

Straw, bedding, etc., exposed to contagion, or from emigrant vessels.

written permit so to do from this Department; and no person shall sell, exchange, or in any way make exposure of any straw, bedding, or other articles that have been exposed to the contagion or infection of any contagious disease, or have been or are liable to communicate such disease, or have lately been on any emigrant vessel, till after the same have been adequately cleansed or disinfected.

Vessels coming from quarantine not to land without permit.

SEC. 132. That no owner, agent, or consignee of any vessel or cargo, and no officer of any vessel (in respect of either of which vessel or cargo a permit, according to any law, ordinance, or regulation, shall or should have been obtained to pass quarantine, or to come up to the water front of the City of New York), shall unlade or land, or cause to be unladen or landed, such cargo, or any part thereof, in said city, without having first received the written permit of this Department so to do.

No person sick of contagious disease to be removed from vessels. H. Laws, N. Y., p. 36.

SEC. 133. That no captain, officer, consignee, owner, or other person in charge of any vessel (or having right and authority to prevent the same) shall remove or aid in removing from any vessel to the shore (save as legally authorized by the Health Officer of the Port of New York, and into quarantine grounds or building only) any person sick of, or person that has been exposed to and is liable very soon to develop any contagious disease, nor so remove or aid in removing any articles that have been exposed to the contagion of any such disease, except in accordance with a permit of this Department, or with its special regulations.

Nor articles exposed to contagion.

Vessels, persons, etc., from infected ports not to land without permit.

SEC. 134. That no master, charterer, consignee, or other person, shall order, bring, or allow (having power and authority to prevent) any vessel or person, or article therefrom, from any infected port, nor any vessel, or person, or article therefrom liable

to quarantine, according to the ninth section of the three hundred and fifty-eighth chapter of the Laws of 1863 (or under any other laws, and whether such quarantine has been made or suffered, or not), to come or be brought to any point nearer than three hundred yards of any dock or pier, or to any building in said city, without or otherwise than according to a permit of this Department. Nor shall any vessel, or person or thing therein or therefrom, having been in quarantine, come or be brought within the last-named distance of any last-named place, without the permit or assent of this Department.

Same laws
as last
section.

SEC. 135. That no person shall bring into this city, from any infected place or land, or take therein from any vessel lately from any infected port, or from any vessel or building in which had lately been any person sick of a contagious disease, any article or person whatsoever, nor shall any such person land or come into said city without a permit of this Department; and it shall be no excuse that such person or article so offending, or the occasion of offense, has passed through quarantine, or has a permit from any other source than this Department.

Articles or
persons from
infected port
or vessel.
H. Laws,
N. Y., pp.
13, 14, 15,
16, 19.

SEC. 136. That no owner, part owner, charterer, agent or consignee of any vessel, nor any officer or person having charge or control of the same shall allow to be cast therefrom, and no person shall cast therefrom, into any public waters of the City of New York, any straw, bedding, clothing or other substance from any incoming vessel from any foreign port, or port south of Cape Henlopen, without a permit from this Board, except as allowed by the quarantine authorities.

Nothing to
be cast from
incoming
vessels into
the waters of
New York.

HEALTH OFFICER.

SEC. 137. That the Health Officer of the Port of New York, his assistants and deputies, shall at all times keep this Depart-

Health Officer to report vessels, persons sick, etc. Laws 1863, pp. 580, 585, §§ 37, 45. Laws 1857, p. 832, ch. 412, § 1. Laws 1863, ch. 358, § 46. Laws 1854, p. 823, § 4. H. Laws, N. Y., p. 19, § 5.

ment informed, by weekly written reports, of the number of vessels in Quarantine, of the number of persons sick in the floating or other hospitals thereat, and of the diseases with which they are severally afflicted; he and they shall also receive into the floating hospital all cases of yellow fever found in this city and the port aforesaid; he or they shall not send or allow to return to the vicinity of said city, without the permit of the City Sanitary Inspector, any person, vessel, or article which this Department has ordered to Quarantine.

REMOVALS OF SICK PERSONS.

Persons sick of contagious diseases not to be removed or exposed. H. Laws, N. Y., pp. 32, 33, 34.

SEC. 138. That no person shall, within the built-up portions of this city, without a permit from this Department, carry or remove from one building to any other, or from any vessel to the shore, any person sick of any contagious disease. Nor shall any person, by any exposure of any individual sick of any contagious disease, or of the body of such person, or by any negligent act connected therewith, or in respect of the care or custody thereof, or by a needless exposure of himself, cause or contribute to or promote the spread of disease from any such person or from any dead body.

VACCINATION.

Obligation to vaccinate. H. Bill, § 16.

SEC. 139. That every person, being the parent or guardian, or having the care, custody, or control of any minor or other individual, shall (to the extent of any means, power, and authority of said parent, guardian, or other person, that could properly be used or exerted for such purpose) cause and procure such minor or individual to be so promptly, frequently, and effectively vaccinated, that such minor or individual shall not take, or be liable to take, the small-pox.

EXPOSURE TO DISEASE.

SEC. 140. That no parent, master, or custodian of any child or minor (having power and authority to prevent) shall permit any such child or minor to be unnecessarily exposed, or to needlessly expose any other person, to the taking or to the infection of any contagious disease.

Children and minors not to be exposed to disease.
H. Laws, N. Y., p. 31, § 5.

DEAD BODIES—INTERMENTS—SEXTONS.

SEC. 141. That no interment of the dead body of any human being, or disposition thereof in any tomb, vault, or cemetery, shall be made within the City of New York, without a permit therefor granted by this Department, nor otherwise than in accordance therewith, and no sexton or other person shall assist in or assent to or allow any such interment, or aid or assist about preparing any grave or place of deposit for any such body, for which such permit has not been given authorizing the same. And it shall be the duty of every person who shall receive any such permit, to preserve and to return the same to this Department, as its regulations may require.

No interments except by permit.
H. Laws N. Y., pp. 48, 53, 70, 81, 83, 151 to 154.

SEC. 142. That no new burying-ground, cemetery, tomb, or vault for dead human bodies shall be established, nor shall the remains of any dead body be placed in any existing burying-ground, vault, tomb, or cemetery in the City of New York, nor any of said receptacles be opened, exposed, or disturbed, except according to the terms of a permit therefor given by this Department; and every body buried in any such place shall be buried to a depth of six feet below the surface of the ground, and four feet below any closely adjacent street.

New cemeteries not to be established.

Graves, etc., not to be opened save by permit.

Depth of graves.

Sextons and undertakers to report names, etc.

SEC. 143. That every person who acts as a sexton or undertaker in the City of New York, or has the charge or care of any vault, tomb, burying-ground, or cemetery for the reception of the dead, or where the bodies of any human beings are deposited, shall cause his or her name and residence, and the nature of his or her charge and duties, to be registered with this Department.

Sextons to make returns.

SEC. 144. That every sexton and other person having charge of any burying-ground, cemetery, tomb, or vault in the City of New York, shall, before twelve o'clock of Monday of each week, make return to this Department of the bodies and persons buried since their last return, and in such form, and specifying such particulars, as the special regulations of this Department shall require.

Bodies not to be removed from city except by permit.

SEC. 145.* That no captain, agent, or person having charge of or attached to any ferry-boat, sailing or other vessel, nor any person in charge of any car, stage, or other vehicle, or public or private conveyance, shall convey or allow to be conveyed thereon, or by any means aforesaid, nor shall any person convey or allow to be carried or conveyed, in any manner, from or in the City of New York, the dead body of any human being, or any part thereof, without a permit therefor from this Department. And the proper coupon for that purpose attached to any such permit, when issued, shall be preserved and returned to this Department, as its regulations may require, by the proper officer or person on such boat or vessel, and by the proper person in charge of any train of cars or vehicle on which any such body may be carried from said city; provided, however, that the same effect shall be given, under this section, to a burial or transit permit issued by the Health Officer of the City of Brooklyn as to a burial or transit permit issued from this Department when the death of the per-

Burial or transit permit of Health Officer of Brooklyn, to have same effect as city permit for same purpose.

* As amended October 5, 1870.

son named in the permit shall have occurred in the City of Brooklyn.

SEC. 146. That no person shall retain, expose, or allow to be retained or exposed, the dead body of any human being to the peril or prejudice of the life or health of any person.

SEC. 147. That it shall be the duty of every person who has discovered or seen the body of a dead human being, or any part thereof (if there is reason for such person to think that the fact of the death, or the place of such body, or part thereof, is not publicly known), to immediately communicate to the Bureau of Records of Vital Statistics the fact of such discovery of such body, the place where and time when the same was discovered or seen, and where the same is or may be found, and any facts known by which said body may be identified, or the cause of death ascertained.

Dead body to be reported.

CORONERS.

SEC. 148. That at least two hours before the holding of any inquest, within the City of New York, upon a dead body, the coroner who has been notified of any death, or who may propose or intend to hold such inquest, shall transmit and cause to be delivered to the Bureau of Records of Vital Statistics, a written notice containing the following facts, so far as known or reported to any such coroner:

Duty of coroners of the City of New York to report.

1. The fact of any such call for the holding of an inquest, and by whom made, and when and from whom received by the coroner.

What report to contain.

2. The place (giving the street and street number, and if there be none, then other particulars) where the body is.

3. What is reported to be the cause of the death.

4. When and where the death took place, and where the body has since been.

5. When and where he proposes to hold the inquest, giving the street, the street number (or otherwise sufficiently designating such place), and the hour.

6. What physician, or physicians, or other professional person last attended such deceased person, or attended such person within forty-eight hours of such decease.

Further facts
on request.

At any time after the commencement of any inquest, the coroner holding, or who should hold, or who held such inquest, shall within twelve hours after the receipt of a written request so to do from the City Sanitary Inspector, answer in writing such of the following or such other questions as may be propounded to him by the said Inspector, to the best of his knowledge, information, and belief.

Form of
report.

Report of Coroner [*here insert Coroner's name*] upon the body of [*here fill in name or description of deceased*], on the [*here fill in year, month, and day*], at [*here mention street and number*].

1. What was the age, sex, and last occupation, residence, and nativity of such deceased person?

2. At what house or place, and in or near what street or avenue, at what number therein did such deceased person die?

3. If such person died of any poison, when and where was the same administered, and what was the kind of poison?

4. If such person died of violence, when and where was the same committed, and upon what part of the body and organs, and of what did it consist?

5. If such person died of any other cause, state such cause, and when and where the cause took effect upon, or was received by the deceased ?

6. Who was last in care of or with such deceased person, and at what place and at what time before death, and when, giving the full name and residence of each such person.

7. What was the name and residence of the physician and persons who last attended, and of each physician and person who within forty-eight hours of such death attended upon such deceased person, and where did he so attend ; and whether said physician was notified of or attended and was examined at such inquest ?

8. The times, places, and dates of holding the inquest, and the names and residences by street number of the jurors and witnesses that attended, and dates of their attendance, and when and where the body of the deceased was present at such inquest ?

9. Was any *post-mortem* examination made, and if so, when, where, and by whom, and who was present thereat ?

It shall be the duty of all coroners in said city to make return to the Bureau of Records of Vital Statistics of all inquisitions by them taken, except when, by law, such inquests are required to be filed elsewhere, and such return shall include the evidence taken on such inquest, and the verdict of the jury, and the full names and residences of the several jurymen.

Return of inquisitions to be made by all coroners.

And in all cases where the inquest may be required by law to be filed elsewhere, such coroner shall make return to said Bureau of a copy of such inquest, including a copy of such evidence and verdict ; and all such returns shall be made within forty-eight hours after the holding of any and every inquest.

Copy of inquisition in cases of homicides, etc.

MARRIAGES, BIRTHS, AND DEATHS.

Registry of
marriages,
births, and
deaths.
Chap. 659,
Laws of
1853.
Chap. 74,
Laws of
1866, §§ 13
and 18.

SEC. 149. That every clergyman, magistrate, and other person who may perform a marriage ceremony, shall make and keep a registry of the marriage celebrated, and therein enter the full names of the parties married, and the residence, age, and condition of each; and every physician, midwife, and other person who may professionally assist or advise at any birth, shall make and keep a registry of every such birth, and therein enter the time and place, ward, and street number of such birth, and the sex and color of every child born, and the names and residence of each of the parents (so far as the foregoing facts can be ascertained); and every physician and professional adviser who has attended any person at a last illness, or has been present by request at the death of any person, shall make and preserve a registry of such death, stating the cause thereof, and specifying the date, hour, place, and street number of such death.

Report of
births, mar-
riages, and
deaths to be
made.

SEC. 150. That it shall be the duty of every person mentioned in the last section, or required to make or keep any such register, to present to the Bureau of Records of Vital Statistics a copy of such register, signed by such person, or a written statement, by him signed, of all the facts in said register required to be entered, within five days after the birth or marriage, and within thirty-six hours after the death of any person to whom such registry may or should relate, which shall thereupon be placed on file in the said Bureau.

Officers, etc.,
to report
births,
deaths, and
marriages.

SEC. 151. That every clerk, officer, and person within said city, required by the one hundred and fifty-second chapter of the Laws of 1847, or by the three hundred and eightieth chapter of the Laws of 1864, to make or preserve any entry, registry, record, or certificate, as to births, deaths, or marriages,

shall send, or cause to be sent, to the Bureau of Records of Vital Statistics of this Department, within five days after knowledge of the birth, death, or marriage, a full and true statement in writing, containing all the particulars in respect thereto (so far as reasonably ascertainable), which, in any other section hereof, are required to be stated by any person relative to any birth, death, or marriage, which shall thereupon be placed on file in said Bureau.

SEC. 152. That every person therein referred to within the City of New York shall perform the acts required in the following provisions (so far as the same are applicable to said city) of section 13 of chapter 74 of the Laws of 1866, to wit:

“It shall be the duty of the next of kin of any person deceased, and of each person being with such deceased person at his or her death, and of the person occupying or living in any house or premises in or on which any person may die, and of the parents of any child born in said District (and if their be no parent alive that has made such report, then of the next of kin of such child born), and of every person present at such birth, within five days after such birth or death, to report to said Board in writing, so far as known, the date, ward, and street number of said birth, and the sex and color of such child born, and the names of the parents, and the age, color, nativity, last occupation, and cause of death of such deceased person, and the ward and street, and place of such person's death and last residence.”

Whose duty
to report
deaths and
births.

GENERAL SUBJECTS.

SEC. 153. That no master or teacher, or manager of or in any school, public or private, or of or in any Sunday school or gymnasium, nor the officers or managers thereof, nor officers or managers, or persons having charge of any place of public worship, shall so far omit or neglect any duty or reasonable care or pre-

Duty of
school teach-
ers, etc.

caution respecting the safety or health of any scholar, pupil, or attendant, or respecting the temperature, ventilation, or cleanliness or strength of any church, hall of worship, school-house, school-room, or place of practice or exercise, or relative to anything appurtenant thereto, as that by reason of such neglect or omission the life or health of any person shall suffer or incur any avoidable peril or detriment.

No building
to be left so
as to endanger
life in
street.

SEC. 154. That no owner, part owner, tenant, or occupant of any building or erection shall allow any part thereof, or any substance therein, or anything thereto attached, and which any such person can control or remove, to continue or remain in a position or condition that shall imperil the life or safety of any person thereat or therein, or who is or may properly be in any street or place.

Nothing in-
jurious to
health to be
exposed in
street.

SEC. 155. That no person shall take, carry, expose, or place (or induce any other person so to do) in or upon any street or public place, any substance, animal or thing, which shall imperil the life or health of any person who is or may properly be in such street or place.

Dogs, etc.,
in stables.

SEC. 156. That no person owning, occupying, or having charge of any stable or other premises, shall keep or allow thereon or therein any dog or other animal which shall by noise disturb the quiet or repose of those or any one therein or in the vicinity, to the detriment of the life or health of any human being.

Horse-racing
fireworks,
etc.

SEC. 157. That no person shall race or run or rapidly drive any horse or other animal in a public street or place, or allow the same to so move, or throw or send up any kite, stone, or other substance, or burn or set off any fireworks, fire-crackers, or other substance, whereby, or by reason of which, any human life may be put in danger or peril.

Fighting.

SEC. 158. That no person shall engage in or encourage any fight, or the dealing of any blow by any human being in said

city, against any other human being; nor shall any person permit such fight, having power and authority to prevent the same.

SEC. 159. That no person shall, except according to a permit or the regulations of this Department, set off or fire any gun or other fire-arm, or rock blast in any public street, alley, or place within the built-up portions of said city, whereby any human life may be imperilled.

Firing of
guns and
blasting.

SEC. 160. That no person shall sell, loan, or give to, or allow to be taken by any other person, any fire-arm, or other deadly or dangerous weapon, when there shall be any reason for such first-named person to think or believe that any danger to life may illegally result from the giving, loaning, selling, or from the use of such arm or weapon.

Fire-arms
not to be
sold or
loaned for
improper
purposes.

SEC. 161. That no large or church bell shall be rung or tolled at any funeral in said city without a permit therefor from this Department, nor shall such bell be rung or tolled at any other time therein to the prejudice or peril of the life or health of any human being.

Church bells
not rung.

SEC. 162. That every person who omits or refuses to comply with, or who resists any of the provisions of the Sanitary Code, or any of the rules, orders, sanitary regulations, or ordinances established or declared by this Board, or any of the provisions of said seventy-fourth chapter of the Laws of 1866, or of chapter six hundred and eighty-six of the Laws of 1866, or of chapter nine hundred and fifty-six of the Laws of 1867, in so far as the same are now in force and applicable to the City of New York, or the execution of any order or special regulation of this Department, will be liable to the arrest, suit, penalty, fine, and punishment in said laws provided and declared; of all of which notice must be taken.

Penalty.

ADDITIONAL ORDINANCES

OF

THE SANITARY CODE,

ADOPTED ON AND AFTER JUNE 22, 1870.

SEC. 163.* No hotel or house swill or garbage, or offensive material of a liquid nature, or partly liquid nature, not removed or required to be removed by the contractors for street cleaning, shall be transported through or along any street of the City of New York, except in tightly covered iron-bound casks or boxes, and none of the contents of such casks or boxes shall be allowed to fall, or leak, or spill therefrom.

Swill, garbage, liquid refuse, etc., of hotels and houses.

To be transported in covered iron-bound vessels. Not to leak, spill, etc.,

SEC. 164.† No petroleum oil, kerosene oil (or other liquid having like composition or qualities as a burning fluid as said oil), shall be kept or exposed or offered for sale as a burning fluid for lamps or any receptacle for the purpose of illumination, nor shall such oil or fluid or any description thereof be sold or kept or exposed or offered for sale, or given away for use or be used as a burning fluid for any such lamp or receptacle, or be kept for such use, unless such oil or fluid shall be of such quality and ingredients that it shall stand and be equal to the following test and conditions, to wit :

Kerosene, petroleum, etc.

* Adopted June 22, 1870.

† Adopted June 22, 1870.

Oil test.

It shall not evolve an inflammable vapor at a temperature below one hundred (100) degrees of the Fahrenheit thermometer.

Fat, tallow, etc., to be rendered only when fresh.

Rendering to be in steam-tight vessels, and odors, etc., to be destroyed.

All transactions connected with rendering to be free from offence and detriment to health.

Fat, lard, etc., not to be brought into city for purpose of rendering.

SEC. 165.* No fat, tallow, or lard shall be melted or rendered except when fresh from the slaughtered animal, and taken directly from the places of slaughter in the city of New York, and in a condition free from sourness and taint and all other cause of offence at the time of rendering, and that all melting and rendering are to be in steam-tight vessels, the gases and odors therefrom to be destroyed by combustion or other means equally effective, and according to the best and most improved means and processes; and everything preceding, following, and in connection with such melting and rendering, and the premises where the same shall be conducted, must be free from all offensive odor, and other cause of detriment to the public health. No fat, lard or tallow shall be brought into the city of New York to be rendered or melted, and none is to be rendered or melted that has come from any place outside of said city, except as part of the living animal.

Slaughtering prohibited between Second and Tenth avenues.

SEC. 166.† From and after the first day of December, 1870, the slaughtering of animals shall not be allowed or conducted at any place between Second (2d) avenue and Tenth (10th) avenue in the City of New York.

Physicians to report deaths.

SEC. 167.‡ It shall be the duty of each and every practising physician in the city of New York to report, in writing, to the Board of Health, the death of any of his patients who shall have died in said city, of disease, within twenty-four hours thereafter, and to state in such report the specific name and type of such disease.

Report to state name and type of disease.

* Adopted July 1, 1870. † As amended September 6, 1870. ‡ Adopted August 23, 1870.

Sec. 168.* No manure, garbage, or other material that is liable to emit an offensive exhalation, shall, in or adjacent to the built-up portions of the City of New York, be turned or stirred (except about its removal), in such way as to be liable, by reason thereof, to increase such exhalations.

Manure garbage, etc., not to be turned or stirred so as to be offensive.

Section. 169.† No person shall keep, retain, or allow or employ to be kept or retained, at any place within or adjacent to the built-up portions of the City of New York, any horse, ass or colt, having the disease known as glanders or farcy.

Horses, etc., with glanders or farcy.

* Adopted August 23, 1870.

† Adopted August 23, 1870.

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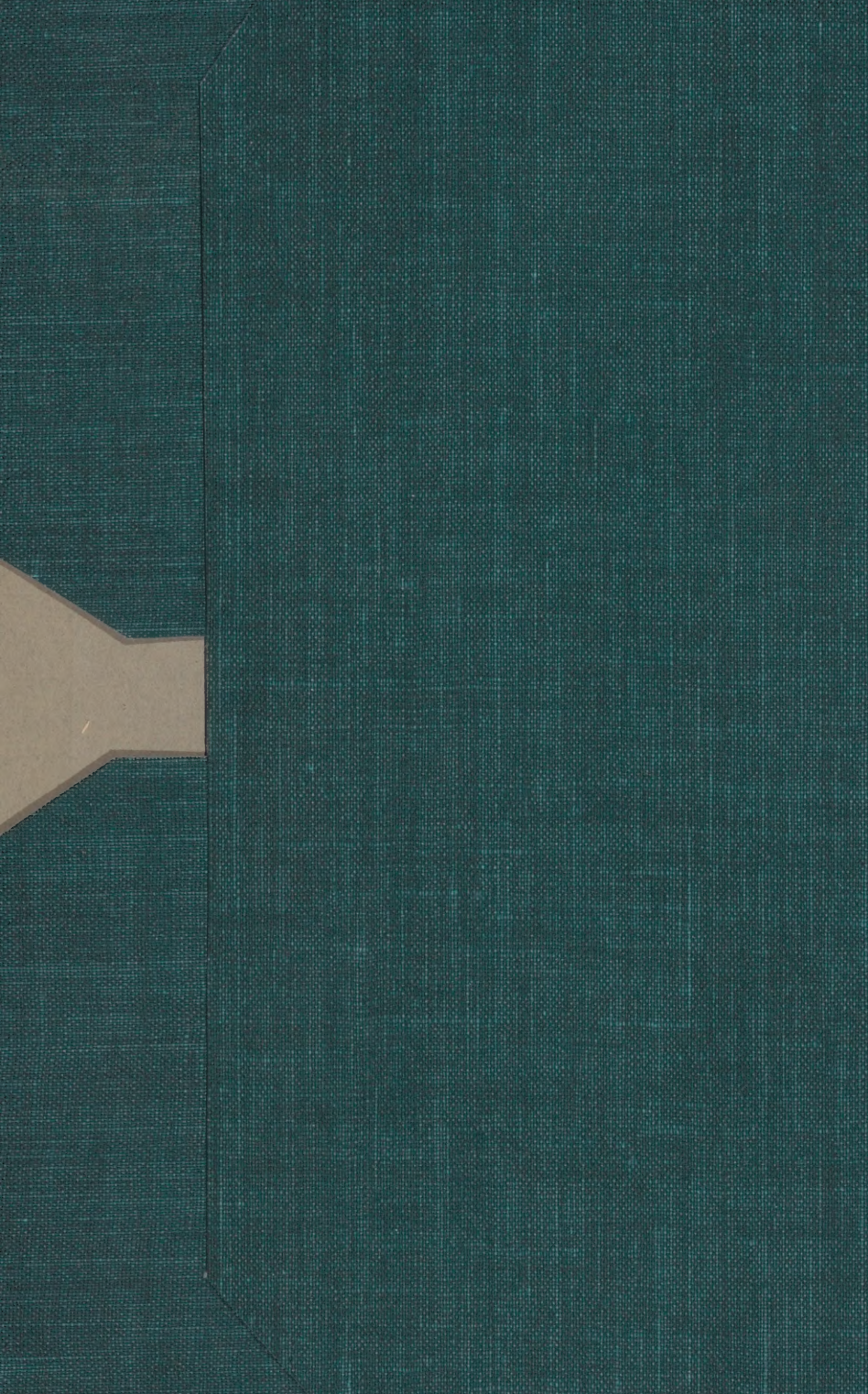
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